

## **Sanpete County Planning Commission Meeting**

July 10, 2013, 6:30 P.M.

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Planning Commission Chair Mary Anderson, Thell Stewart, Gene Jacobson, Leon Day, Joe Nielsen, Nathan Palmer, Sanpete County Zoning Administrator Scott Olsen and Sanpete County Deputy Clerk Gayelene Henrikson. (Paul Rasmussen and Curtis Ludvigson are excused.)

Meeting is called to order by Chair Mary Anderson.

**JIM NOORLANDER: REQUESTS APPROVAL TO REMOVE AND VACATE THE ROAD EASEMENT ON THE LOTS BETWEEN THE SOUTH HALF OF LOT #7 AND LOT #8 OF FAIRVIEW RANCHOES 1 SUBDIVISION. THIS IS BROUGHT BACK FROM THE COUNTY COMMISSIONERS TO RESTART THE TIME FRAME FOR THE COUNTY COMMISSION PUBLIC HEARING.**

Jim and Elizabeth are present. Mary Anderson reviews request. The County Commissioners need the time frame started again for timely notification of public hearing. Motion is made by Thell Stewart, on the same bases that was previously approved so the time frame can be restarted. Motion is seconded by Leon Day, motion passes.

**MICHAEL AND TRACEY HELTON: REQUESTS APPROVAL FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT. LOCATED ON THEIR PROPERTY 2 MILES SOUTH OF CENTERFIELD ON S 10855x2 IN THE A ZONE.**

Tracey Helton is present. Mary Anderson reviews request. She has an existing cabin and wants to convert it to an accessory dwelling unit for her parents. The structure will conform to the square footage standards. Utilities run off main home. Cannot rent if sold to another person, conditional use permit lapses at change of ownership; also owner is not allowed to rent. No public comment made. Motion is made by Joe Nielsen to approve a conditional use permit for an accessory dwelling unit located on S 10855x2 in the A zone with condition of not renting. Motion is seconded by Leon Day, motion passes.

**CARL SEDLAK AND 11550 PIGEON ROAD LLC: REQUESTS APPROVAL OF A CONDITIONAL USE PERMIT FOR A DUDE RANCH AND POSSIBLE TREATMENT CENTER. LOCATED APPROXIMATELY 1 ½ MILES SOUTH OF SPRING CITY ON S 27340 IN THE A ZONE ON 89.06 ACRES. UPDATED CONDITIONAL USES FOR THEIR PROPERTY.**

Carl Sedlak is present. Mary Anderson reviews request. He made the changes that the Commission requested from the previous meeting. He explained his plans to have a dude ranch, a place for people to stay while they are in the treatment center in Ephraim, host seminars and classes and concerts. It will not be used for a treatment center, only used as housing for the patients who are receiving treatment at the facility in Ephraim. Meals will be served in the dining hall. Family reunions may be held.

Discussed the definition of a dude ranch and what the difference is between a dude ranch and a hotel/motel. Mr. Olsen made the comment that under the dude ranch status a person doesn't have as many regulations. Mr. Stewart said that on a dude ranch people would have other facilities, activities, classes, or horses to occupy their stay versus staying for the night and leaving. Mr. Sedlak wants people to come have a Western/Native experience.

Mr. Jacobson had a concern with additional structures being built and changing from a dude ranch. Commission approves of building more cabins as long as it applies to the dude ranch. May come back and upgrade permit.

Mrs. Anderson questioned the time limit. Discussion ensued. Mr. Jacobson explained the State requires schooling if persons reach a certain time frame for staying. Previous conditions with Wind Walker was 90 days limit and required to have a County Business license. Mrs. Anderson stipulated the need for any concerts they hold must go through the County Sheriff's Office for a mass gathering permit. Comments from the audience were in favor of people coming and staying for the night and enjoying the scenery and then coming back another time.

Motion is made by Joe Nielsen to approve a conditional use permit for a dude ranch located on S 10855x2 in the A zone with the conditions outlined in the proposal letter and extending the length of stay to 90 days from 45 days. Motion is seconded by Leon Day, motion passes.

**JANNINE HENNINGSON AND WILDEE MORTENSEN: REQUESTS APPROVAL OF A 1-LOT MINOR SUBDIVISION ON THEIR PROPERTY. LOCATED 3/4 MILE SOUTH OF EPHRAIM IN THE RA-2 ZONE WITH 6.4 ACRES ON S 6262X. THE SUBDIVISION WILL BE CHERRY ESTATES SUBDIVISION WITH 3.17 ACRES IN THE 1 LOT.**

Wildee Mrotensen is present. Mary Anderson reviews request. Mylar is provided. He explains the plan. Acreage is allowed because it's within the Ephraim City buffer zone. Ephraim City has approved to provide water. Other utilities are approved and are in. Easement on private road with public access for utilities. His lot has a 100' width private road. Motion is made by Leon Day to approve a 1-lot minor subdivision with 6.4 acres on S 6262x, known as Cherry Estates Subdivision. Motion is seconded by Thell Stewart, motion passes. Road needs to be finalized by Steve Keller before item goes to County Commissioners.

**DEREK OVERLY: REQUESTS APPROVAL TO VACATE THE OVERLY MINOR SUBDIVISION AND CREATE A NEW 1-LOT SUBDIVISION ON A DIFFERENT PARCEL S 10600x5.**

Derek Overly is present. Mary Anderson reviews request. A few years ago he received approval for a 1-lot minor subdivision on lot S 61299. He wants to move the subdivision to a different location. His horses will benefit more with the change and the new location is warmer. Motion is made by Leon Day to approve vacating the Overly minor subdivision and create a new 1-lot subdivision on a different parcel. Motion is seconded by Gene Jacobson, motion passes.

**DEREK OVERLY: REQUESTS APPROVAL OF A 1-LOT MINOR SUBDIVISION ON S 10600x5. HE HAS 26.06 ACRES IN THE MAYFIELD RA-2 ZONE.**

Derek Overly is present. Mary Anderson reviews request. There is an easement recorded for the access with the owner of the property between the county road and Mr. Overly's property line. Water line is on side of road. Steve Keller approves the road. Utilities are the same as the original parcel. Motion is made by Nate Palmer to approve a 1-lot subdivision on S10600x5 located in the Mayfield RA-2 zone. Motion is seconded by Leon Day, motion passes.

**GENEVA ROCK PRODUCTS INC AND WAYNE PATTERSON: REQUESTS APPROVAL FOR A ZONE CHANGE FROM RA-1/RA-2 ZONE TO IN ZONE (INDUSTRIAL ZONE) ON 40 ACRES OF THE PATTERSON PROPERTY (GRAVEL PIT AREA). LOCATED WEST OF STERLING ON S 10382.**

Brent Sumsion is present. Mary Anderson reviews request. Geneva Rock is requesting a zone change to bring competition to the area on bigger projects. The gravel pit has aggregate for pavement and to make production easier they would like to bring the asphalt plant onto the location. To accommodate either the asphalt or concrete plant there is a need for a zone change. This zone change is establishing precedence on the IN zone. They addressed the infrastructure, proper access of the gravel pit and the affects of the area if they approved the zone change. The commission questioned if the zone change is approved, would the conditions from the conditional use permit for the gravel pit still be in place? Is this operation going to be under mining or a gravel pit? Are roads still in place with the IN zone? They don't want to harm the town of Sterling by allowing this zone change. The Commission would like to transfer road access over from the conditional use to the IN zone.

Mr. Jacobson questioned whether the Commission could stipulate how they operate in the long term and implement tonnage or loads on the roads. He is concerned with long term affects of changing the zone and keeping the same standards for all businesses that come into the zone. Mr. Day commented on the need for the standards of the IN zone to be met before the entity can operate. He would like the road upgraded to class B county road that will handle the traffic of the gravel pit.

Lengthy discussion on the status of the road from Hwy 89 to the gravel pit in relation to the Industrial Zone. Gene commented that the road is not compatible. Road direction is discussed. The commission would like a study and a proposal as to the road issue. Mr. Sumsion commented that they would fix the road before any of their trucks got beat up.

Carl Sedlek agreed that the commission has a legitimate reason of concern for the road and bridges.

Mr. Jacobson expressed concern about the start to finish time frame. The commission would like Geneva Rock to open in Sanpete County, but have concerns with approving a zone change when the infrastructure is inadequate.

Motion is made by Leon Day to table the request for a zone change from RA-1/RA-2 zone to IN zone west of Sterling on S 10382 so the commission can negotiate with county entities and come to an agreement on how to make the infrastructure sufficient before making the change. Motion is seconded by Thell Stewart, motion passes.

**ASPEN GROVE ASSETS: REQUESTS A ZONE CHANGE OF THEIR 18 ACRE PROPERTY FROM A (AGRICULTURAL) ZONE TO PF (PUBLIC FACILITY) ZONE. IT IS ADJACENT TO THE TWIN OAKS SUBDIVISION. LOCATED 2 MILES SOUTHEAST OF MT. PLEASANT. THEY WOULD LIKE TO ADD COMMUNITY IMPROVEMENTS AND NEEDS INCLUDING: CEMETERY, BALLFIELD, BISHOPS STOREHOUSE, PUBLIC SERVICES AREA AND PARKING.**

David Asay and Jeff Kunz are present. Mary Anderson reviews request. Map of the improvements is provided. The 104 lot subdivision was established in 1980 and Aspen Grove Assets purchased the lots later. To meet the growth, Aspen Grove Assets is requesting to change the zone on 18 acre parcel to upgrade the infrastructure of the subdivision. They are following the requirements of the county general plan and accommodating the growth of the subdivision. The improvements are on the same parcel and are not part of the Homeowners Association. They don't have plans to subdivide or add residences. They have made improvements to the east and south areas of the subdivision with fences installed to keep the deer out, planting, agricultural projects and grazing. Now they need these public facilities for the subdivision. The cemetery is their first concern, with the Chapel not being built for 10 - 15 years.

Nate Palmer and Gene Jacobson expressed concern with the incremental development in this area. Mr. Jacobson expresses concern for the original owners, the way the land was originally zoned and the particular way they wanted to live. How a group or groups come in and affects the investment of the original owners of the land. When does the development stop? Concern with zone changing and how it affects the long term purpose of the area. Discussed having a master plan brought before the commission so everyone can be aware of the potential affects of the area over the years; analyze the affects of the plan; know what the upcoming adjustments of the land are.

Condolences are extended to the Bowles family with the passing of Mr. Bowles' wife. Mr. Jacobson expressed concern with the long term maintenance of the cemetery and the necessary monies a cemetery requires. A municipal cemetery is near by. Aspen Grove has researched to see what the state/county dictates. The cemetery will be a little less than 5 acres and have 3,000 lots and is more a public cemetery than private. They will have an ecclesiastical group put the facilities and monies into it and provide the manager. They have assigned Jeff Kunz to be the manager of the cemetery.

The children play in the area and need the baseball diamond. They plan to have 7 acres for the baseball area. Aspen Grove Assets plans to plant grass and landscape to keep the dust down. Who has the right to use the public facilities? Carl Sedlak commented on the infrastructure for ball fields in the county. His opinion is that the entire county has access to the ball field facilities, if the area is approved. He also agreed that there is an advantage to bringing a master plan to the commission.

Robert Ault, adjoining property owner, built here to retire and not be in a municipality and then this subdivision comes and develops in his backyard. He commented about lights, grass, chapel, dust and a fire station. He has concern with a chapel; the noise in his backyard with a ball field; storage shed for fire and equipment. A cemetery is fine. He is not happy with the overall growth of the subdivision. Dust is from road access to Scout Camp and other activities happening outside the subdivision.

Bill Bowles, Pres. of Aspen Grove wants definition of Public Facilities. Aspen Grove Assets tries to work with surrounding people and with the community to be open and lawful citizens. Aspen Grove Assets work with Boy Scouts with water and the dirt road.

Brad Ault is concerned with the time line for completion of the projects.

Chad Lewis stated the map is a long term master plan. Most of the 877 acres of land is dormant so this is what the plan is. Mr. Jacobson wants to know what the dream of the subdivision is. Long term planning is good for the group and the community. He clarified the terminology. Setup for the infrastructure is planned in accordance to what dream the people have. So the commission can see what size pipes, power sources and what the envision of the community is. When development begins, there is a master plan. He wants to make sure the area has enough water for all the improvements and plans they have. President of the Homeowners Association stated the water is overseen by the state and they have already made improvements to handle the growth. Mrs. Anderson commented that places all over require master plans.

Mr. Stewart expressed his support for zone change and feels it would be a definite improvement to make their lives better. The Commission has a group that needs these facilities and Aspen Grove Assets doesn't know what the future growth is. Changing the zone has nothing to do with a master plan. If their group doubles then they would need to come back and have another subdivision. At this point, however, a master plan isn't needed for this item being discussed. Mr. Nielsen is in favor of the plan but would like to know what infrastructure are in the plans. Mr. Day stated that if they were to add another proposal to the subdivision, the master plan would show where the development is and what the affect will be. Mr. Day and Mr. Asay agreed they would need a master plan if they were to create a new subdivision.

Jesse Raynor commented on the grand plans of America to facilitate the growth, they put in infrastructure as they went.

Mr. Day asked about schools or a fire station. A school is not in the plans. Fire station has been mentioned with the recent chance of fires.

David and Deanie Robinson live in the subdivision and are in support of the project.

Mrs. Anderson questioned whether the whole subdivision was noticed. This request only requires the adjoining property owners to be notified. The Planning Commission Secretary

received notification back from three owners; The Zoning Administrator received a list of only three persons to be notified. Mr. Asay mentioned there are owners on the west side of the parcel that needed to be notified.

Motion is made by Leon Day to table their request for a zone change from A zone to PF zone adjacent to Twin Oaks Subdivision because it was discovered that potentially not all property owners were notified. Motion is seconded by Joe Nielsen, motion passes. Mr. Asay will give Mr. Olsen a correct account of the adjoining property owners.

**SCOTT OLSEN, ZONING ADMINISTRATOR: DISCUSS AND REQUESTS APPROVAL OF CHANGES TO SANPETE COUNTY SUBDIVISION ORDINANCE TITLE 13. THE CHANGES ARE TO 13.28- DESIGN STANDARDS, 13.28.030 LOTS ITEMS E. (ADD): COUNTY ROAD SUPERVISOR..., F. LAND MAY BE REQUIRED TO BE DEDICATED ALONG EXISTING COUNTY ROADS TO INCREASE THE RIGHT-OF-WAY TO CURRENT COUNTY STANDARDS, 13.21.010: A, G, H- REQUIREMENTS FOR MINOR SUBDIVISIONS**

Scott Olsen is present. He reviewed what was discussed last month with incorporating some standards from Tooele County Ordinance into Sanpete County ordinance. He also proposed adding requirements to the Minor Subdivision section.

Motion is made by Leon Day to approve changes to Sanpete County Subdivision Ordinance Title 13. The changes are to 13.28 Design Standards- 13.28.030 Lots, Item E: Add County Road Supervisor... to the sentence; F. Land may be required to be dedicated along existing county road to increase the right-of-way to current county standards. Also to revise 13.21.010 Requirements for Minor Subdivisions: A: The subdivision consists of a maximum of 4 lots; G: Each lot in the subdivision has been or will be, provided with improvements as required in this title; and H- A tract or parcel may have 1 - 4 contiguous minor subdivisions per original parcel with maximum of 4 lots per original parcel. Motion is seconded by Joe Nielsen, motion passes.

**APPROVAL OF MINUTES**

Motion is made by Leon Day to approve the Planning Commission minutes of June 12, 2013 with no corrections. The motion is seconded by Nate Palmer, and the motion passes.

With no further business before the Planning Commission, motion to adjourn is made by Joe Nielsen. The motion is seconded by Nate Palmer, and the motion passes.

The meeting is adjourned at 9:06 P.M.